United Nations A/53/291

General Assembly

Distr.: General
25 August 1998

Original: English

Fifty-third session
Item 20 (b) of the provisional agenda*
Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance: special economic assistance to individual countries or regions

International assistance for the rehabilitation and reconstruction of Nicaragua

Report of the Secretary-General

1. The General Assembly, in its resolution 51/8 of 25 October 1996, encouraged the Government of Nicaragua to continue its efforts to bring about reconstruction and national reconciliation, in particular, those related to poverty alleviation, economic and social development and the solution of problems related to property, with a view to the consolidation of a stable democracy. The international community was encouraged to continue its support to the processes of reconstruction, social investment, stabilization and development.

I. Political background

2. The past two years saw advancements in the consolidation of democracy as reflected in the process of democratic elections for president, vice-president and the National Assembly in October 1996. The new Liberal Alliance Government of Arnoldo Alemán took power on 10 January 1997, representing a transfer of power between two democratically elected Governments. The elections were supported by technical and financial cooperation to the Supreme Electoral Council and their conduct was evaluated with a view to learning and absorbing lessons in preparation for the municipal elections in the Autonomous Regions of the Atlantic Coast, held in February 1998.

3. The first year of the new Government of Arnoldo Alemán enjoyed the backing of the population. Nevertheless, the political polarization between the two principal electoral forces gave rise to Sandinista-backed demonstrations of students demanding better conditions for universities. At the end of 1997, upon signature of the property agreement and the approval of the Property Law, political tensions were reduced.

4. Between January and April 1998, national interest was focused on international financial events, the signature of the second structural adjustment programme (ESAF II) with the International Monetary Fund (IMF), the presentation of national development strategies at the Consultative Group held at Geneva, and the Paris Club negotiations on foreign debt.

5. The municipal elections held in the Atlantic Coast in March 1998 expressed in a moderate way the internal polarization. The governing party won the elections in keeping with the polls and, except for criticisms directed at

* A/53/150.

98-25062 (E) 150998

the President for mixing government and party interests, the electoral process can be summarized as having been peaceful.

6. While, in April, the Government was able to congratulate itself on a well-done job in the field of international finances, which reflected positively on its image, on the other hand, a loss of popularity was perceived, due to the poor communication between the President and the media, and incidents which linked the Government to corruption.

7. The Second Congress of the main opposition party, the Frente Sandinista para la Liberación Nacional (FSLN), held in May, revealed the crisis of the primary opposition force, which remains without leadership or proposals to overcome the political, social and economic crisis of the country. The event concluded in a lengthy process of nominations and elections of internal authorities, controlled by Secretary-General Daniel Ortega.

8. The political landscape of the first half of 1998, as presented by the media, is marked by a few topics, such as the lack of transparency in public spending, the sexual harassment scandal involving the Sandinista leader Daniel Ortega, the travel by the President in an airplane apparently owned by drug traffickers, the report of the Auditor-General's Office on the Government's failure to account for US$ 500 million of the Central Bank's funds, dating back to the previous Government, and the increase in the crime rate. Nevertheless, the debate on these topics, strongly promoted by the media, reflects the unfolding of a climate of open communication and respect for public opinion.

II. Consolidation of democracy and institutional modernization

A. Solution of property conflicts

9. Under the previous and present Government, great efforts have been made in order to solve the property issue. Consensus-building around the issue has led to a number of basic agreements among the different sectors of the country. During 1997, a series of negotiations between the two main political parties resulted in a new property law bill, approved by the National Assembly in December 1997. The Governments of Canada, the Netherlands and Sweden, and the Inter-American Development Bank (IDB) and the United Nations Development Programme (UNDP) contributed to the establishment of a comprehensive programme to streamline administrative procedures and facilitate the revision and solution of property claims by former owners, and for an extensive programme of urban titling which primarily benefits the poorer groups of Nicaraguans.

10. From a total number of 14,906 property claims, the administrative system has resolved 44 per cent, as compared to 21 per cent in October 1996. The Ministry of Finance has issued a total of US$ 630 million in bonds for indemnification of former owners whose property cannot be returned. In 1998, the National Assembly passed a new law allowing the Ministry of Finance to issue an additional amount of $200 million in a new issue of bonds for indemnification. From December 1996 to June 1998, the urban titling programme issued a total of 11,500 titles for small urban lots; there are about 100,000 urban lots to be surveyed and titled in the different cities of the country. The technological basis has been set to speed up the titling process and launch a massive urban titling effort.

11. While much remains to be done to resolve the property issue definitively, as a result of prior and present government efforts to settle the property conflicts, recent opinion polls reveal that the majority of Nicaraguans consider the issue to be of minor concern.

B. National dialogue

12. During the second half of 1997, UNDP supported the Government's initiative of a national dialogue, which brought together a wide spectrum of political and civil society groups. A feature of this effort, as compared to other initiatives carried out in the past, was that it was entirely nationally organized. A national non-governmental organization, Ética y Transparencia (Ethics and Transparency), was chosen and accepted by different political sectors to arrange, coordinate and lead the sessions. The dialogue started in a climate of mistrust and scepticism among the participants, against a backdrop of protests in the streets. FSLN did not participate in the consultations.

13. Although the national dialogue did not aim to establish a national development strategy, nor did it discuss all the strategic issues and policies of the country in the long term, it nevertheless allowed for some basic agreements between the Government and other sectors of Nicaraguan society, demonstrating a peaceful way for dealing with the nation's problems. It ended with a total of 212 specific agreements being reached, and a mixed commission created for follow-up. It is noteworthy that 28 agreements were reached on the property issue.

C. Human rights

14. In 1997, the National Assembly approved the structure and the first chapter of a child and adolescent code based on the Convention on the Rights of the Child. The Code for Children and Adolescents was endorsed by the President on 27 May 1998 and will go into effect this year on 22 November 1998.

15. The Convention on the Rights of the Child was strongly promoted by the United Nations Children's Fund (UNICEF). The process of promoting the Convention reflects its potential to build a culture of respect for human rights in a climate where democratic rights are respected and exercised, also by children. A related achievement was the commitment undertaken by the Supreme Electoral Council to support the general registry of children in order to guarantee their right to a name and nationality. The commitment represented a broad consensus with partners, such as the National Assembly, members of the Supreme Court, the Board of the National Election Council, the National Civil Registry, members of the Supreme Council of Private Enterprise and mayors' offices with regard to the promotion and defence of children's rights.

16. These efforts are complemented by a primary education programme, also supported by UNICEF, which aimed at contributing to the curricular transformation being carried out by the Ministry of Education, through the inclusion of issues related to constructing peace, as well as nurturing ethical and moral values. Under the programme, 940 principals and teachers, from schools in 18 municipalities, were trained.

17. Approximately 1,000 government counterparts and members of civil society received instruction on the contents of the Convention and on the Convention for the Elimination of Discrimination against Women. The new concern with children's rights was also expressed by the First Forum on Child Labour, conducted in November with the instrumental support of UNICEF and supporters in the field of children's rights.

D. Strengthening of the rule of law

18. The consolidation of the rule of law has been set as a priority by the Government. In this context, a number of initiatives are being carried out simultaneously, ranging from the modernization of laws and codes, restructuring of the Supreme Court and the Attorney-General's Office and installation of the Institute of Forensic Medicine, to the integrated and deep-seated reform of the penitentiary system. The National Programme for the Modernization of Justice is of the utmost importance and is being financed by a wide range of Governments and organizations and supported by UNDP.

1. Strengthening of the judiciary at the local level

19. During the period covered in the present report, the construction of courthouses has continued, and it is envisaged that all the municipalities in the country will be covered by the end of 1998. Supported by UNDP, the project has been combined with an effort by the Supreme Court to substitute lay judges with qualified and trained lawyers and to promote local judges as impartial promoters of development and justice in the communities. In many places, the local court symbolizes the only permanent presence of the State and, in some cases, the judge is among the very few people with professional qualifications in the community. The project has played a key role in providing access to the administration of justice and advancing the consolidation of peace in former conflict areas. It has significantly increased the sense of impartiality and independence of the judiciary at the local level.

2. Modernization of forensic medicine

20. The modernization of the criminal justice system requires the improvement of technical methods for examining bodies in cases of suspected criminal actions, as well as evaluating injuries of victims of violence. In a situation of high rates of criminality and violence, the country is lacking such capacity. The UNDP project, financed by Spain, includes infrastructure, equipment and training of specialized personnel to install a Forensic Medicine Institute in Managua.

3. Support to the security forces

21. The police forces in Nicaragua are undergoing a deep transformation, into a small, well-organized and professional institution. The national police force has received considerable technical cooperation from various sources, including a UNDP/Spain Trust Fund for the specialized training of police officers in the scientific, judiciary and traffic and citizen security of policing. The trust fund also provided protective equipment for policemen engaged in the Managua Citizen Security Plan.

4. Prison reform

22. The extremely poor conditions in the penal system in Nicaragua encouraged the Government to launch, with

UNDP support, a unique integrated reform programme with financing from a number of donor countries. The programme envisages the physical rehabilitation of police and penitentiary system prisoners; economic/productive and psychological rehabilitation of detainees; legislative reform; improved management training and systems; and a component focused on the treatment of minors in relation to the Code for Children and Adolescents endorsed in May 1998 (see para. 14 above).

III. Demobilization, reintegration and reconstruction of municipalities

A. Demobilization of former combatants

23. An intrinsically successful area in the fight against the social consequences of the war has been the demobilization of ex-combatants and their reintegration as legal citizens. In 1998, the demobilization of the last armed groups among the ex-combatants was completed. A UNDP-supported programme provided assistance to more than 40 municipalities that were heavily affected by the war, in the process of the consolidation of peace and the creation of a basis for political stability and productive development. The project comprised a process ranging from disarmament to productive reintegration, and incorporating aspects of education, personal safety, construction of a family habitat, creation of a subsistence economy and mechanisms for accumulation of proceeds. The establishment of conflict-solution networks and monitoring systems to assess the processes contributed further to the consolidation of these municipalities, in responding to the needs of more than 6,000 families of former combatants.

B. Awareness-raising about landmines

24. In many municipalities devastated by the armed conflict, the persisting problem of landmines continues to endanger the population and prevents the agricultural use of vast areas of the country. Despite the mine-removal activities carried out by the Nicaraguan army, in cooperation with the Organization of American States and the Inter-American Defence Council, only 50 per cent of registered mines left over from the war have been found. In addition to the mines, countless explosive devices, such as bombs, fragmentation grenades, mortars and ammunition, remain in Nicaraguan soil. It is calculated that 85 to 90 per cent of the population affected by mines and other explosives are children between the ages of 8 and 12.

25. In coordination with the army's removal operations, and with the support of UNICEF, studies on the effects of the armed conflict in Nicaragua on children have been carried out, together with a social awareness campaign about the dangers of mines, with a view to preventing further accidents cause by anti-personnel landmines and explosive devices and to adequately guide future actions in the psycho-social, legal, and educational field benefiting affected children. The programme will benefit 20,000 children in 600 communities in five affected departments of Nicaragua.

C. Reintegration of Nicaraguans in exile

26. In the early 1990s, the Nicaraguan Government sought the support of the International Organization for Migration (IOM) to create a programme to allow Nicaraguan professionals to return and reintegrate fully into Nicaraguan society. To date, and with the support of the European Community, the Qualified Nicaraguan Professionals Return Programme of IOM has transferred 371 professionals with their dependents to Nicaragua, thereby reintegrating a total of 1,237 persons.

IV. Natural disasters

27. Between 1996 and 1998, the Nicaraguan Government made some progress in evolving from a primarily disaster-assistance focus to one of prevention and mitigation. During the past five years, direct support has been provided in addition to emergency assistance, for the creation of a National, Regional and Local Prevention, Mitigation and Assistance System for Disaster Administration. With these ongoing efforts, it is hoped that, by the year 2000, and with the assistance of the international community, Nicaragua will have development plans at the national, regional and local levels, involving long-term prevention, preparedness and community awareness, an important target set by the Scientific and Technical Committee of the International Decade for Natural Disaster Reduction and endorsed by the General Assembly of the United Nations.

28. Such progress is demonstrated by the emergency assistance provided to confront the adverse climatological effects of the El Niño phenomenon, which caused severe drought in Nicaragua, which affected agricultural production in several departments of the country. After detailed

consultations with the Nicaraguan Government in October 1997, the World Food Programme (WFP), UNDP and the United Nations Population Fund, in the context of the resident coordinator system, supported governmental efforts to deliver emergency assistance to 9,513 low-income rural families in the 30 most affected municipalities, and promoted activities aimed at reducing the negative impact of future droughts, such as protection of water sources, soil retention, small-scale irrigation, reforestation, support to women heads of family, community infrastructure works and farming. Embedded in a regional emergency programme for the Central American countries, the support aims at assisting emergency prevention from a sustainable development perspective. In parallel, UNICEF and the World Health Organization/Pan American Health Organization (WHO/PAHO) supported work to ameliorate the situation through its Water and Environmental Sanitation Programme, which forms part of an Integrated Basic Services Programme (PROSERBI).

29. Similar activities, which contribute to lessening the vulnerability of the affected population in regard to droughts and other natural disasters, and which are aimed at sustainable human development, are carried out by the WFP "food for work" programmes which generated more than 300,000 temporary jobs in regions with the highest indexes of poverty and extreme poverty in the northern part of the country. The beneficiaries are about 48,200 families, and further measurable impacts of the programmes, can be expected, for example, with regard to reforested lands, regenerated coffee plantations, basic grains (through credits), roads, schools and houses, water-pipelines, etc.

30. In 1996, UNDP, WFP, WHO/PAHO and UNICEF joined forces to channel emergency and rehabilitation assistance to 221 rural communities severely affected by hurricane César in July 1996, benefiting more than 2,300 low income families located in the Autonomous South Atlantic Region of Nicaragua. With a view to assisting the hurricane-prone region to manage effectively all stages of disaster administration in the future, UNDP approved a project in 1997 to strengthen the administrative capacities of regional and local governments.

31. During the period under review, the FAO programme contributed to a more disaster-resistant Nicaraguan agriculture and to sustainable and sound management of natural resources. A great portion has been spent on the conservation and management of natural resources in the Cordillera de los Maribos, with active participation of the local farming population. In order to promote food security and employment opportunities, important contributions have been made to increase agricultural, fish farming and forestry yields, emphasizing the importance of evaluation missions in the project formulation stage. Various evaluation missions have been made for project formulation in the area of rehabilitation from natural disasters. Capacity-building events on different agricultural topics constitute another important area of the contribution of FAO to the rehabilitation of soils and increased efficiency in natural resources management, which in turn, should lead to the alleviation and avoidance of emergencies in the most vulnerable areas.

V. Decentralization and local development

32. The Nicaraguan Government has been undertaking a series of efforts towards decentralization, or deconcentration in certain cases, of functions to the municipalities. Those efforts include the overall policy for reform and modernization of the State; the formation of a Sectoral Commission on Decentralization, and sectoral experiences in decentralization, the most advanced of which have been in the areas of health and education, with some experience in water and sanitation. The Social Emergency Fund is also working to strengthen the role and participation of the municipalities in assuming responsibilities for social infrastructure development.

33. A key element of the policy is the participation of civil society in decisions which affect the well-being of the population. Here, in addition to national efforts such as the establishment of the National Sustainable Development Council, where civil society has sectoral representation along with the Government, a number of mechanisms exist at the local level to facilitate the articulated intervention of civil society in the setting of priorities and decision-making on issues of local development, including 67 municipal development committees throughout Nicaragua which are playing a key role in coordination, collaboration and decision-making for local development. The framework for PROSERBI (see para. 28 above) included the consolidation of 46 municipal committees on children. In 70 per cent of the committees, children are represented, and thus have a voice in the development of policies that affect them.

34. The Ministry of Social Action and the Nicaraguan Institute for the Advancement of Municipalities had a strong role to play focusing on the eradication of poverty through strengthening of municipalities and civil society at the local level. The new policies of the Ministry of Health include a decentralization process which is expected to extend to

human, material and financial resources and could serve as a model for other decentralization endeavours.

35. In the field of local development, the regional Sustainable Human Development Programme at the Local Level, supported by UNDP, provided technical assistance to promote the capacities and processes for cooperation between local stakeholders and the central government in order to consolidate peace and democracy and contribute to the eradication of poverty and social exclusion. Led by the Ministry of Social Action, and with the integration of civil society organizations, local leaders and governmental institutions, the programme supported 20 municipalities of the departments of Nueva Segovia, Madriz and Estelí in the formulation of socio-economic characterizations and basic strategies for sustainable human development in each of those local governments.

36. In the area of institution strengthening of the municipalities, the Institute for the Advancement of Municipalities, with UNDP support, has trained local human resources through the elaboration of capacity-building programmes, which represent a basis for a national capacity-building system and have been implemented in more than 100 municipalities of the country. This set the basis for the draft proposal of a law on civil service and municipal administrative careers, which will soon be presented to the National Assembly for approval. The project's activities increased the professionalism of local human resources, allowing for a local pool of qualified technical personnel which is capable of spanning the periods of government.

37. In order to enhance decentralization and reconstruction efforts, the Institute, supported by the United Nations Centre for Human Settlements (Habitat), implemented a national land registry system to levy taxes for land and property real estate, thereby increasing the possibilities of local governments to dispose of tax revenues for development purposes. As a measurable impact of the project, between 1993 and 1998, tax revenues on real estate increased by 34 per cent.

38. Economic development has been mainly promoted through expansion of rural financial services, which influenced the design of policies for the implementation of non-conventional rural credit programmes, including UNDP support to savings and credit cooperatives, administering and associating around 5,000 rural economic entities.

39. With regard to UNDP assistance to communities in the Atlantic Coast, a project aiming at sustainable human development of indigenous and farmer communities in the Autonomous South Atlantic Region contributed to the strengthening of institutions and capacities to formulate municipal development plans according to sustainable human development principles, emphasizing natural resources management and innovative and sustainable agricultural techniques.

40. Similarly, UNICEF's efforts at strengthening PROSERBI involve important activities in the field of institution strengthening to support and promote the participation of community organizations and locally based organizations at the municipal level, both in development and social welfare actions.

41. The role of implementing agencies (WHO/PAHO and UNICEF) in a project on local integral health-care systems (PROSILAIS) (see also para. 44 below) as technical instruments in the process of reform and decentralization is very important. In this aspect, PAHO prioritizes activities aimed at strengthening the decentralization process, training human resources in managerial techniques and programme management, and implementing infrastructure works, maintenance and the supply of equipment.

VI. Integral rehabilitation of basic social services, infrastructure and agricultural areas of the country

A. Integral rehabilitation through coordination of programmes for basic social services

42. Considerable efforts of governmental entities such as the Ministry of Health, the Ministry of Education and the Ministry of Agriculture to increase well-being and productivity in the main areas affected by the war, are complemented by activities under the umbrella of PROSERBI, which includes institution strengthening, child rights, health, education, women's participation and water and sanitation (see also paras. 28 and 33 above).

43. Since 1996, several efforts have been launched to enhance coordination between the PROSERBI programme and health, education, water and sanitation programmes. The experience of integral services at the community level improved the PROSERBI methodology, utilizing a greater degree of community involvement. The activities of the programme reached approximately 140,000 people directly and indirectly, of whom 70 per cent are women and children.

44. Special cooperation was established in the health sector with PROSILAIS (see para. 41 above) and executed jointly by PAHO/WHO and UNICEF, which involves 55 municipalities in Nicaragua and covers 1,300,000 persons, almost 30 per cent of the country's population. The project is aimed at the development of local integral health-care systems in Chinandega, Estelí, León, Madriz, Nueva Segovia and the Autonomous South Atlantic Region.

45. In general, recent attempts to assist rural municipalities are giving priority to non-governmental organization projects which are part of and contribute to municipal social development plans. Under the leadership of the mayors' offices, these plans encourage partnerships among different local public institutions and non-governmental organizations, and have proved to be highly effective in mobilizing communities to take action for themselves. These initiatives will also contribute to a restoration of the productive capacities of many municipalities devastated by the armed conflict.

B. Promotion of gender issues and sexual and reproductive health training

46. In relation to the main areas of implementation of General Assembly resolution 51/8, Nicaragua has been supported by the response of UNFPA to high-priority national needs in the processes related to sexual and reproductive health, behaviour and rights. A subregional and national capacity-building initiative, through the establishment of a Master's degree in population and sexual and reproductive health, in partnership with the National Autonomous University (UNAN), has been launched. The issues of gender and sexual and reproductive rights have been strenuously promoted in traditionally male-dominated environments, such as the Army. Education and information on sexual and reproductive health is also being made available to personnel and convicts in the National Prison System, through the creation of a network of sexual and reproductive health promoters.

47. Efforts to reach the adolescent population are reflected in the support to the first national Centre for Adolescent Reproductive Health, situated in Managua, which has permitted coverage of a large number of pregnant adolescents from primarily poor urban areas, and training of non-governmental organizations and more than 7,000 adolescents and youths of both sexes in sexual and reproductive health issues.